

EXTERNAL (for general distribution)

AI Index: EUR 11/03/94

Distr: UA/SC

UA 172/94

Death penalty

3 May 1994

ALBANIA

Laver GOGA, teacher, aged 48

Laver Goga, from the village of Ngjekar, has been sentenced to death by the district court of Fier, according to a press report of 27 April 1994. He was found guilty of the premeditated murder of his 17-year-old daughter-in-law, whom he stabbed to death on 1 May 1993 at the home of her parents. Because of this murder, Laver Goga's son, the victim's husband, reportedly committed suicide.

BACKGROUND INFORMATION

In November 1993, the People's Assembly adopted amendments to the Criminal Code which reduced the number of articles which provide for an optional death penalty to six and introduced the punishment of life imprisonment. Women and offenders under 18 may not be sentenced to death or life imprisonment. The death sentence imposed on Laver Goga is the first of which Amnesty International has learned this year. In September 1993 two men were reported to have been executed for murder.

By law, the Court of Cassation hears appeals against death sentences within 10 days of receipt of the case and reviews all death sentences even if no appeal is made. If the death sentence is confirmed by the Court of Cassation, the defendant may petition for clemency to the President of the Republic of Albania, who must in any case examine and approve all death sentences before they are carried out.

In June 1993 President Berisha publicly advocated the abolition of the death penalty, stating that it was not very moral for the state to kill a citizen when the possibility of life imprisonment existed, and that studies had shown no direct link between the death penalty and a reduction in crime. However, he said that the issue required discussion.

RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English, Italian, French or German or in your own language:

- expressing concern at reports that Laver Goga was sentenced to death on charges of murder by the district court of Fier in April 1994. State that you recognize the gravity of his crime, but that Amnesty International opposes the death penalty in all cases without reservation, on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading punishment;
- welcoming the President's statement in June 1993 in which he expressed his view that the death penalty should be abolished and urge him to exercise his constitutional power to commute Laver Goga's death sentence, if it is confirmed on appeal to the Court of Cassation.

APPEALS TO

(President of Albania)

Dr Sali Berisha
President i Republikës
se Shqipërisë
Tiranë, Albania

Faxes: +355 42 32971 or 32979

Telegrams: President Berisha, Tirana, Albania
Salutation: Dear President

COPIES TO:

(Minister of Justice)

Mr Kudret Çela
Ministria e Drejtësisë
Tirana
The Republic of Albania

(Minister of Foreign Affairs)

Dr Alfred Serreqi
Minister i Punëve të Jashtme
Tiranë
FAX : +355 42 32971

The Albanian Helsinki Committee

Komiteti Shqiptar i Helsinkit
Qendra Nderkombetare e kultures, Dhoma no.35
Bulevardi "Deshmoret e kombit"
Tirana, Albania.

and to diplomatic representatives of Albania accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 14 June 1994.